

Exhibit 3

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

STEPHEN McCOLLUM, et al.,
Plaintiffs,

v.

BRAD LIVINGSTON, et al.,
Defendants.

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CIVIL ACTION NO. 3:12-CV-02037

DEFENDANT UTMB'S NOTICE OF DEPOSITION OF STEPHEN MCCOLLUM
WITH SUBPOENA DUCES TECUM

TO: Plaintiff Stephen McCollum, through his attorneys Jeff Edwards and Scott Medlock at The Jeff Edwards Law Firm, 1101E. 11th Street, Austin TX 78702; and Brian McGiverin at Texas Civil Rights Project, 1405 Montopolis Dr., Austin, TX 78741

PLEASE TAKE NOTICE THAT, pursuant to FED. R. CIV. P. 30, defendant UTMB will take the oral deposition of plaintiff **Stephen McCollum**, to be used as testimony in the trial of this case. The deponent shall appear in person on **February 10, 2014 at 1:00 p.m.** at the location listed below to give his testimony in this cause of action. The deposition will continue from day to day until completed.

The Edwards Law Firm
1101 E. 11th Street
Austin TX 78702

Sunbelt Court Reporters is requested to provide court reporting. You are invited to attend and cross-examine.

PLEASE TAKE FURTHER NOTICE that in connection with the taking of this deposition, the deponent is asked to produce the materials described in the Subpoena *Duces Tecum* attached as **Exhibit A** and incorporated herein by reference.

Respectfully submitted,

GREG ABBOTT
Attorney General of Texas

DANIEL T. HODGE
First Assistant Attorney General

DAVID C. MATTAX

Deputy Attorney General for Defense Litigation

KAREN D. MATLOCK

Assistant Attorney General

Chief, Law Enforcement Defense Division



KIM COOGAN

Assistant Attorney General

Attorney-in-Charge

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Austin, Texas 78711-2548

(512) 463-2080

(512) 495-9139 Fax

ATTORNEYS FOR DEFENDANT UTMB

CERTIFICATE OF SERVICE

I, KIM COOGAN, Assistant Attorney General of Texas, do hereby certify that a true and correct copy of the foregoing **Defendant UTMB's Notice of Deposition of Stephen McCollum** has been served via electronic service and by placing same in the United States Certified Mail, postage prepaid, on **January 22, 2014**, addressed to:

Jeff Edwards
The Edwards Law Firm
1101 E. 11th Street
Austin TX 78702
jeff@edwards-law.com
Scott@edwards-law.com

CMRRR 7008 0500 0001 5046 8022

Brian Rolland McGiverin
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Bruce Garcia
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P. O. Box 12548, Capitol Station
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Via Hand Delivery

Demetri Anastasiadis
Assistant Attorney General
P. O. Box 12548, Capitol Station
Austin TX 78711-2548

Via Hand Delivery



KIM COOGAN
Assist

EXHIBIT A

SUBPOENA DUCES TECUM

1. Please produce the birth certificates of any natural or adopted minor children of Larry McCollum.
2. Please produce any diaries made either by you or by Larry McCollum during the time of Larry McCollum's incarceration in any facility.
3. Please produce any medical records, including bills, for treatment that you claim was necessitated by Larry McCollum's death, or the effect of his death on you.
4. Please produce any grievances, letters or other communications, either written or verbal, in which Larry McCollum requested an accommodation to any UTMB or TDCJ employee for any condition.
5. Please produce copies of any photographs, videotapes or audio tapes of Larry McCollum that you believe accurately reflect his life or personality. This request may be limited to those photographs, video tapes or audio tapes that you intend to present to a jury at trial.
6. Please produce any correspondence between Larry McCollum and you, or between Larry McCollum and any close friend or relative of which you are aware, written or sent during any incarceration of Larry McCollum.
7. Please sign and date the attached release of information to the Social Security Administration for the release of social security disability records, if any.
8. Please sign and date the attached release of information to the Social Security Administration for the release of social security earnings records, if any.